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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/845,574	04/30/2001	James Blaisdell	40101/01301	2228
30636	7590	05/07/2004	EXAMINER	
FAY KAPLUN & MARCIN, LLP 150 BROADWAY, SUITE 702 NEW YORK, NY 10038			YIGDALL, MICHAEL J	
		ART UNIT		PAPER NUMBER
		2122		7
DATE MAILED: 05/07/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

PRL

Office Action Summary	Application No.	Applicant(s)
	09/845,574	BLAISDELL, JAMES
	Examiner	Art Unit
	Michael J. Yigdall	2122

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 30 April 2001.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-23 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 30 April 2001 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3-4</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-23 are pending and have been examined. The priority date considered for the application is 30 April 2001.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-23 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 5,996,010 to Leong et al. (hereinafter Leong).

With respect to claim 1, Leong discloses a software package (see the title and abstract, which shows a network management agent, i.e. a software package), comprising:

(a) a variable describing a state of a device, the variable having an assigned name (see column 6, lines 34-43, which shows Management Information Base variables describing the state of a device, and column 13, lines 57-62, which shows that the variables have assigned object identifiers or names);

(b) a mapping module including a mapping between the assigned name and a routine, wherein the routine accesses the variable (see column 7, lines 6-16, which shows a dictionary, i.e. a mapping module, for mapping the assigned identifiers to textual names for providing access to the variables, and column 13, lines 51-67, which shows the functions or routines used for accessing the variables); and

(c) a dynamic receiving module receiving and storing, without recompiling the software package, a correlation between a common name for the variable and the assigned name, a request, including the common name of the variable being fulfilled by consulting the stored correlation (see column 8, lines 46-54, which shows a request manager, i.e. a receiving module, for receiving a request and interacting with the dictionary, and column 7, lines 13-16, which shows that the dictionary provides a correlation between a textual name, i.e. a common name, for the variable and the assigned identifier; see also column 13, lines 51-67, which shows that the request includes the variable identified by consulting the dictionary).

With respect to claim 2, Leong further discloses the limitation wherein the variable is a Management Information Base object (see column 6, lines 34-43, which shows that the variables are Management Information Base objects).

With respect to claim 3, Leong further discloses the limitation wherein the assigned name is an object identifier (see column 13, lines 57-62, which shows that the assigned names are object identifiers).

With respect to claim 4, Leong further discloses the limitation wherein the routine is one of a get routine and a set routine (see column 13, lines 56-57, which shows a GET function or routine and a SET function or routine).

With respect to claim 5, Leong further discloses the limitation wherein the correlation is received from an application stored on the device (see column 6, lines 13-16, which shows a

network management agent stored on the device, and column 7, lines 6-10, which shows that the agent includes the dictionary, i.e. the application for providing the correlation).

With respect to claim 6, Leong further discloses the limitation wherein the correlation between the common name for the variable and the assigned name is stored in one of a temporary memory and a permanent memory of the device (see column 6, lines 51-64, which shows that the device includes main memory, i.e. temporary memory, and a mass storage medium, i.e. permanent memory).

With respect to claim 7, Leong discloses a method (see the title and abstract), comprising the steps of:

(a) receiving a correlation between a common name and an assigned name for a variable, the variable describing the state of a device (see column 13, lines 34-40, which shows receiving a dictionary, and column 7, lines 6-16, which shows that the dictionary provides a correlation between a textual name, i.e. a common name, and an assigned identifier for a managed object; see also column 6, lines 34-43, which shows that the managed objects are variables describing the state of a device);

(b) storing the correlation in one of a temporary and permanent memory of the device, the storing of the correlation being accomplished without compiling a software package on the device (see column 6, lines 51-64, which shows that the device includes main memory, i.e. temporary memory, and a mass storage medium, i.e. permanent memory; note that Leong does not disclose compiling a software package); and

Art Unit: 2122

(c) storing a mapping between the assigned name and a routine, wherein the routine accesses the variable (see column 7, lines 6-16, which shows a dictionary for mapping the assigned identifiers to textual names for providing access to the variables, and column 13, lines 51-67, which shows the functions or routines used for accessing the variables).

With respect to claim 8, Leong further discloses the steps of:

(a) receiving a request to access the variable, the request including the common name of the variable (see column 13, lines 51-67, which shows receiving a request to access the variable identified by consulting the dictionary, and column 7, lines 13-16, which shows that the dictionary provides a correlation between a textual name, i.e. a common name, for the variable and the assigned identifier).

(b) obtaining the assigned name by consulting the stored correlation (see column 13, lines 57-62, which shows obtaining the assigned identifier by consulting the dictionary, i.e. the stored correlation).

(c) obtaining the routine by consulting the mapping (see column 13, lines 51-67, which shows consulting the dictionary, i.e. the mapping, and obtaining the function or routine); and

(d) accessing the variable using the routine (see column 14, lines 13-20, which shows accessing the variable using the routine).

With respect to claim 9, Leong further discloses the limitation wherein the assigned name is an object identifier (see column 13, lines 57-62, which shows that the assigned names are object identifiers).

With respect to claim 10, Leong further discloses the limitation wherein the routine is one of a set routine and a get routine (see column 13, lines 56-57, which shows a SET function or routine and a GET function or routine).

With respect to claim 11, Leong further discloses the limitation wherein the correlation is received from an application stored on the device (see column 6, lines 13-16, which shows a network management agent stored on the device, and column 7, lines 6-10, which shows that the agent includes the dictionary, i.e. the application for providing the correlation).

With respect to claim 12, Leong further discloses the limitation wherein the application is a web page (see column 13, lines 20-23, which shows that the network management agent is an HTML server, i.e. a web page application).

With respect to claim 13, Leong discloses a software package operating on a device (see the title and abstract, which shows a network management agent, i.e. a software package, on a device), comprising:

(a) a reading module to read software code in a file, the software code including a correlation between a common name and an assigned name for a variable (see column 11, lines 33-40, which shows a parser module, i.e. a reading module, for reading code and interfacing with a dictionary, and column 7, lines 6-16, which shows that the dictionary provides a correlation between a textual name, i.e. a common name, and an assigned identifier for a variable); and

(b) a dynamic correlation module receiving the correlation from the reading module and storing, without recompiling the software package, the correlation (see column 11, lines 60-67, which shows a response manager, i.e. a dynamic correlation module, for receiving the correlation

Art Unit: 2122

from the dictionary and storing the data in a buffer; note that Leong does not discloses recompiling the software package).

With respect to claim 14, Leong further discloses the limitation wherein the file is a web page (see column 5, lines 47-62, which shows providing an HTML document for display in a web browser, i.e. a web page).

With respect to claim 15, Leong further discloses the limitation wherein the software code includes a request to access the variable, the reading module forwarding the request to the dynamic correlation module which formats an updated request using the correlation (see column 11, lines 15-46, which shows that the code includes requests to access objects or variables, and shows the parser module, i.e. a reading module, forwarding the request to the response manager, i.e. a dynamic correlation module; see also column 13, lines 34-67, which shows formatting updated requests based on the correlation from the dictionary).

With respect to claim 16, Leong further discloses the limitation wherein the variable is a management information base object and the assigned name is an object identifier (see column 6, lines 34-43, which shows that the variables are Management Information Base objects; see also column 13, lines 57-62, which shows that the assigned names are object identifiers).

With respect to claim 17, Leong further discloses a server module receiving the software code from the reading module and streaming the software code out of the device (see column 12, lines 9-11, which shows the response manager, i.e. a server module, streaming the code over a socket).

With respect to claim 18, Leong further discloses the limitation wherein the server module includes an HTTP server (see column 13, lines 1-5, which shows an HTML server using the HTTP protocol, i.e. an HTTP server).

With respect to claim 19, Leong further discloses the limitation wherein the reading module includes a CGI get handler (see column 11, lines 33-40, which shows the parser module, i.e. a reading module, handling server-side includes, and column 12, lines 42-45, which shows the use of Common Gateway Interfaces or CGI).

With respect to claim 20, Leong further discloses a post module receiving an additional request from outside the device to access the variable, the post module forwarding the request to the dynamic correlation module which formats an updated request using the correlation (see column 8, lines 46-54, which shows a request manager, i.e. a post module, for interacting with the response manager, i.e. a dynamic correlation module; see also column 13, lines 34-67, which shows forwarding the request and formatting updated requests based on the correlation from the dictionary).

With respect to claim 21, Leong further discloses the limitation wherein the post module is a CGI post handler (see column 11, lines 33-40, which shows handling server-side includes in association with the request manager, i.e. a post module, and column 12, lines 42-45, which shows the use of Common Gateway Interfaces or CGI).

With respect to claim 22, Leong discloses a method (see the title and abstract), comprising the steps of:

(a) reading software code in a file, the software code including a correlation between a common name and an assigned name for a variable, the variable describing the state of a device (see column 11, lines 33-40, which shows reading code and interfacing with a dictionary, and column 7, lines 6-16, which shows that the dictionary provides a correlation between a textual name, i.e. a common name, and an assigned identifier for a variable; see also column 6, lines 34-43, which shows that the variables describe the state of a device); and

(b) dynamically storing the correlation in one of permanent memory and temporary memory, without compiling a software system on the device (see column 6, lines 51-64, which shows that the device includes main memory, i.e. temporary memory, and a mass storage medium, i.e. permanent memory; note that Leong does not disclose compiling a software system).

With respect to claim 23, Leong further discloses the steps of:

(a) receiving a request to access the variable, the request including the common name of the variable (see column 13, lines 51-67, which shows receiving a request to access the variable identified by consulting the dictionary, and column 7, lines 13-16, which shows that the dictionary provides a correlation between a textual name, i.e. a common name, for the variable and the assigned identifier); and

(b) reformatting the request using the dynamically stored correlation (see also column 13, lines 34-67, which shows reformatting the request based on the correlation from the dictionary).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Pat. No. 5,978,845 to Reisacher discloses a network management relay system providing access to Management Information Base variables using a routing table. U.S. Pat. No. 6,119,156 to Filion et al. discloses a network management system providing access based on a table of object identifiers.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Yigdall whose telephone number is (703) 305-0352. The examiner can normally be reached on Monday through Friday from 7:30am to 4:00pm.

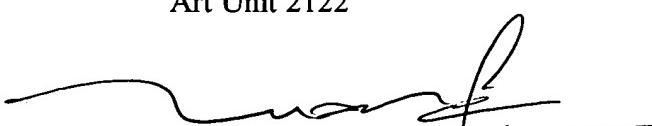
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (703) 305-4552. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MY

Michael J. Yigdall
Examiner
Art Unit 2122

mjy
April 28, 2004


TUAN DAM
SUPERVISORY PATENT EXAMINER